



H.R. 3036 – No Child Left Inside Act of 2008

EXECUTIVE SUMMARY

H.R. 3036 was introduced by Representative John Sarbanes (D-MD) on July 12, 2007. The House Committee on Education and Labor reported the bill by a vote of 37-8 on June 18, 2008.

Since 1990, the Environmental Protection Agency (EPA) has been the primary Federal agency responsible for environmental education initiatives. According to the EPA, since 1992 the agency has awarded \$40.6 million in grant funding for schools in every state and the District of Columbia.

This legislation reauthorizes the National Environmental Education Act for 2009 at current funding levels. In addition, H.R. 3036 authorizes the Secretary of Education to award competitive, matching grants for activities to improve and support environmental education. H.R. 3036 also authorizes the appropriation of such sums as may be necessary for this new Department of Education grant program. According to Committee Republicans, they support the bill but remain concerned about directing limited Federal resources to efforts that require students to study a specific subject area and creating new programs that could potentially create a fragmented system of promoting environmental education on the Federal level.

The Congressional Budget Office (CBO) estimates that implementing H.R. 3036 would "increase discretionary spending by \$24 million over the 2009-2012 period."

H.R. 3036 is expected to be considered on the floor under a structured rule on September 18, 2008.

FLOOR SITUATION

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H.R. 3036 is being considered on the floor under a structured rule. The rule:

- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Member of the Committee on Education and Labor;
- Waives all points of order against consideration of the bill except for clauses 9 (earmarks) and 10 (PAYGO) of rule XXI;
- Provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor, now printed in the bill, shall be considered as an original bill for the purpose of amendment and shall be considered as read;
- Waives all points of order against the amendment in the nature of a substitute except for clauses 9 (earmarks) and 10 (PAYGO) of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (earmarks);
- No amendments shall be in order except those amendments printed in the Rules Committee report accompanying the resolution;
- Provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in Committee of the Whole;



LEGISLATIVE DIGEST

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- Waives all points of order against the amendments printed in the report except for clauses 9 (earmarks) and 10 (PAYGO) of rule XXI;
- Provides one motion to recommit with or without instructions; and
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

BACKGROUND

In 1990, Congress passed the National Environmental Education Act (NEEA), which established a Federal grant program for educating elementary and secondary school students and training teachers regarding environmental education. Since this time, the Environmental Protection Agency (EPA) has been the primary Federal agency responsible for environmental education. According to the EPA, since 1992 the agency has awarded \$40.6 million in grant funding for schools in every state and the District of Columbia.

H.R. 3036, the No Child Left Inside Act of 2008, would amend the National Environmental Education Act of 1990 to create a new grant program under the direction of the U.S. Department of Education.

[EPA - Environmental Education](#)

SUMMARY

Authorization of the National Environmental Education Act: This bill authorizes \$14 million for fiscal year 2009 for the purposes of the National Environmental Education Act, matching the current level.

National Capacity Environmental Education Grant Program: H.R. 3036 authorizes the Secretary of Education to award competitive, matching grants to nonprofit organizations, states, local educational agencies, or institutions of higher education for activities to improve and support environmental education. These activities may include advancing content and achievement standards, developing or disseminating innovations or model programs, research, and capacity-building measures to increase the number of elementary and secondary environmental education teachers. The grants may range in duration from one to three years. This legislation establishes the federal share of grant program costs at 90% for the first year, 75% for the second year, and 50% for each subsequent year.

The bill requires state grantees to have or develop peer-reviewed state environmental literacy plans. In addition, a grantee's continued receipt of funds is dependent on reporting annually to the Secretary on grant-assisted activities and the success of such activities measured in accordance with an evaluation and accountability plan that each grantee is required to formulate prior to receiving a grant.

H.R. 3036 also authorizes the appropriation of such sums as may be necessary for this new Department of Education grant program. H.R. 3036 directs the Secretary to report to Congress, within one year of enactment, on activities assisted by such grants.

Accountability: H.R. 3036 requires the Administrator of the EPA, Secretary of Education, and the National Environmental Education and Training Foundation to establish certain program quality indicators for programs funded under the Act. This legislation requires recipients of funds to report annually on their progress in meeting these minimum quality measures.

Restrictions on Federal Government and Use of Federal Funds: The bill prohibits the Act from being construed or used to assert Federal control over state and local educational decisions, including curricula.

H.R. 3036 also prohibits requiring Federal approval of student achievement standards in order to receive funding under the Act. The EPA Administrator and Secretary of Education must also ensure that educational activities under this provision do not advocate a particular political viewpoint.



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ADDITIONAL VIEWS

Education and Labor Committee Republicans: "Committee Republicans support H.R. 3036, the No Child Left Inside Act, which extends and enhances opportunities for environmental education to strengthen programs that teach our children about the environment in which they live... At the same time, we need to be careful about directing limited Federal resources to efforts that require students to study a specific subject area and creating new programs that could potentially create a fragmented system of promoting environmental education on the Federal level."

([Republican Views, House Report 110-754](#))

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 3036 would "increase discretionary spending by \$24 million over the 2009-2012 period." [Full CBO Cost Estimate](#)

AMENDMENTS

- 1) Rep. George Miller (D-CA): **(REVISED)** The amendment clarifies that funds issued under the National Capacity Environmental Education Grant Program may be used to address environmental justice issues that may arise in low income communities. Provides that funds may be used to develop and implement policy approaches to environmental education including specific topics.
- 2) Rep. John Duncan (R-TN): (WITHDRAWN)
- 3) Rep. John Duncan (R-TN): (WITHDRAWN)
- 4) Rep. Peter Welch (D-VT): The amendment allows municipalities to be eligible for the National Capacity Environmental Education Grant Program.
- 5) Rep. Joe Courtney (D-CT): **(REVISED)** The amendment adds that applicants may describe on their application for federal grant funds how they have partnered, or intend to partner, with a State and local park and recreation department.

STAFF CONTACT

For questions or further information contact the Adam Hepburn at 6-2302.